



PATENT
PC11895A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Magee et al.

: EXAMINER: Charanjit Aulakh

SERIAL NO.: 10/062,811

: ART. UNIT: 1685

FILED: January 31, 2002

FOR: Nicotinamide Acids, Amides and
Their Mimetics Active as Inhibitors
of PDE4 Isozymes

I hereby certify that this correspondence
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this 20th day of December 20 02

Sir:

By [Signature]

This paper is being filed in response to the Office Action mailed April 15, 2002 in the subject patent application which has been declared abandoned by the Examiner in a subsequent Office Action mailed November 14, 2002. The Examiner stated that the reason for the abandonment was Applicants failure to respond to said April 15, 2002 Office Action. Applicants submit that said abandonment was unintentional. Applicants have enclosed herewith a petition requesting that the Commissioner revive the subject application.

-Restriction Requirement-

The Examiner has required restriction of the instant application to one of eight Groups as set forth below.

- I. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is C and both B¹ and B² are a saturated or unsaturated carbocyclic ring, pharmaceutical compositions containing these compounds and a method of using these compounds.
- II. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is N and both B¹ and B² are a saturated or unsaturated carbocyclic ring, pharmaceutical compositions containing these compounds and a method of using these compounds.
- III. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is C and both B¹ and B² are a saturated or unsaturated heterocyclic ring, pharmaceutical compositions containing these compounds and a method of using these compounds.
- IV. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is N and both B¹ and B² are a saturated or unsaturated heterocyclic ring, pharmaceutical compositions containing these compounds and a method of using these compounds.
- V. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is C, B¹ is a saturated or unsaturated carbocyclic ring and B² is a saturated or unsaturated

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heterocyclic ring, pharmaceutical compositions containing these compounds an a method of using these compounds.

VI. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is N, B¹ is a saturated or unsaturated carbocyclic ring and B² is a saturated or unsaturated heterocyclic ring, pharmaceutical compositions containing these compounds an a method of using these compounds.

VII. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is C, B¹ is a saturated or unsaturated heterocyclic ring and B² is a saturated or unsaturated carbocyclic ring, pharmaceutical compositions containing these compounds an a method of using these compounds.

VIII. Claims 1 - 22, drawn to compounds of formula (1.0.0) where Y is N, B¹ is a saturated or unsaturated heterocyclic ring and B² is a saturated or unsaturated carbocyclic ring, pharmaceutical compositions containing these compounds an a method of using these compounds.

Applicants hereby elect the invention of Group I, without traverse. Applicants note that the Examiner has not required the election of a species. To assist the Examiner with the examination, Applicants nonetheless elect the compound of Example 1d, which is within the scope of the elected Group. Further, Applicants intend to limit the method of treatment claims to methods of treating respiratory diseases and conditions. Applicants will amend the application to conform it to the elections made herein in response to an Office Action when such is received.

-Conclusion-

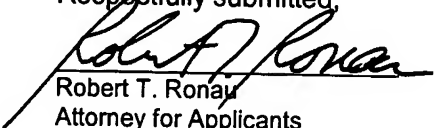
Applicants, having responded to all points and concerns raised by the Examiner, believe this application to be in condition for allowance. An early and favorable action is respectfully requested.

Dated:

December 20, 2002

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Respectfully submitted,


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